

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

1

The Minutes

March 5, 2001

C034461

THE PEOPLE v. DANIEL

(Not for Publication)

The judgment is affirmed.

SIMS, Acting P.J.

We concur: Davis, J.

Kolkey, J.

C034830

**WELLOCK et al., v. WELLOCK et al., DEPARTMENT OF HEALTH
SERVICES**

(Not for Publication)

THE COURT:

It is ordered that the opinion filed herein on February 6, 2001, be modified as follows:

1. On page 10, last sentence of the first paragraph, the words "when the property became a source of disagreement among the heirs" are deleted so the sentence reads:

As David points out, it was not until after Meta's death that the oral agreement was breached.

There is no change in the judgment.

Appellants' petition for rehearing is denied.

FOR THE COURT:

Raye, Acting P.J.

Morrison, J.

Hull, J.

C034402

THE PEOPLE v. SANCHEZ

BY THE COURT:

Due to clerical inadvertence the remittitur issued in the above entitled matter was dated March 27, 2001. Said remittitur is ordered recalled, and the trial court clerk is directed to return the original remittitur to this court forthwith.

Upon receipt of the original remittitur from the trial court, a new remittitur will issue bearing the date it was in fact issued, February 27, 2001.

SCOTLAND, P.J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

2

The Minutes

March 5, 2001, continued

C035159 THE PEOPLE v. PITNER
C035376 THE PEOPLE v. QUINN

BY THE COURT:

On the court's own motion, the above cases are consolidated. The cases are ordered consolidated for all further appellate procedures except that they will retain their respective case numbers. Whenever documents are submitted for filing by the parties, an original must be presented for each case number; however, if copies of documents are required pursuant to the California Rules of Court, the parties need only submit a maximum of four. The cases will be considered for decision together.

SCOTLAND, P.J.

March 6, 2001

C029743 THE PEOPLE v. HARRIS (Not for Publication)

The judgment is modified to impose a \$300 parole revocation fine pursuant to section 1202.45, which shall be stayed pending successful completion of parole. (See fn. 3, ante.) As so modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment and to forward a certified copy to the Department of Corrections. In preparing the amended abstract of judgment, the trial court should correct the statutory reference to grand theft. (See fn. 2, ante.)

KOLKEY, J.

We concur: Scotland, P.J.
Nicholson, J.

C031312 THE PEOPLE v. WINE (Not for Publication)

The judgment (order of probation) is affirmed.

SCOTLAND, P.J.

We concur: Davis, J.
Hull, J.

C031974 THE PEOPLE v. BENITEZ (Certified for Partial Publication)

The judgment is reversed. (CERTIFIED FOR PARTIAL PUBLICATION.)

HULL, J.

We concur: Scotland, P.J.
Morrison, J.

C032002 THE PEOPLE v. BROWN, III et al., (Not for Publication)

The judgments of conviction are affirmed.

BLEASE, Acting P.J.

We concur: Nicholson, J.
Kolkey, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

3

The Minutes

March 6, 2001, continued

- C035712 THE PEOPLE v. ANDERSON (Not for Publication)**
The judgment is affirmed.
RAYE, J.
We concur: Scotland, P.J.
 Callahan, J.
- C036542 LEAKE v. THE SUPERIOR COURT OF BUTTE COUNTY and THE
PEOPLE (Certified for Partial Publication)**
Let a peremptory writ of mandate issue directing the respondent superior court to vacate its order denying Leake's motion to compel an exchange of expert witness information, and directing the court to rule on the People's request for a protective order. (See Code Civ. Proc., § 2034, subd. (e).) Upon the finality of this opinion, the stay previously issued is vacated. Leake is awarded the costs he incurred in this writ proceeding. (Cal. Rules of Court, rule 56.4 (a).)
SCOTLAND, P.J.
We concur: Callahan, J.
 Hull, J.
- C035817 MARQUARDT v. MARQUARDT (Not for Publication)**
The order after judgment, which reduces Victor's spousal support obligation to \$400 per month, is affirmed.
SCOTLAND, P.J.
We concur: Sims, J.
 Hull, J.
- C032607 ROSENAUR v. SCHERER et al., (Not for Publication)
C033331**
The judgment is affirmed. The trial court's award of attorney fees to defendants pursuant to section 425.16 is also affirmed. Defendants are awarded their costs and attorney fees on appeal. The matter is remanded to the trial court to determine the amount thereof.
KOLKEY, J.
We concur: Blease, Acting P.J.
 Raye, J.

4

Callahan, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

5

The Minutes

March 9, 2001, continued

C035132	THE PEOPLE v. ROBINSON The appeal is affirmed. MORRISON, J. We concur: Nicholson, Acting P.J. Callahan, J.	(Not for Publication)
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